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February 26, 2021

BY CM/ECF

The Honorable Richard G. Andrews
U.S. District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street, Unit 9, Room 6325
Wilmington, Delaware 19801

Re: *Guest Tek Interactive Entertainment Ltd. v. Nomadix, Inc.*
C.A. No. 18-1394 (RGA)

Dear Judge Andrews:

In accordance with the Court's December 1, 2020 Order (D.I. 193), Plaintiff Guest Tek respectfully submits this letter to advise the Court of its efforts to obtain the requested discovery from the four third-party resellers: Single Digits, Inc.; Safety NetAccess, Inc.; Allbridge, LLC; and Great Lakes Telecom Ltd. d/b/a Broadband Hospitality. *See* D.I. 143, 149, 150, 151. Guest Tek previously submitted status letters on December 4, 2020 (D.I. 195), December 11, 2020 (D.I. 203), December 18, 2020 (D.I. 213), December 23, 2020 (D.I. 216), December 30, 2020 (D.I. 218), January 8, 2021 (D.I. 222), January 15, 2021 (D.I. 229), January 22, 2021 (D.I. 231), January 29, 2021 (D.I. 234), February 5, 2021 (D.I. 238), February 12, 2021 (D.I. 240), and February 19, 2021 (D.I. 241).

Single Digits, Inc.

Single Digits moved to quash the two subpoenas (D.I. 143) in the District of New Hampshire, C.A. No. 20-95. Briefing was completed on December 31, 2020. On February 18, 2021, the Court in the District of New Hampshire issued an Order denying Guest Tek's request to have the motion transferred to the District of Delaware and taking Single Digits' motion under advisement. The judge also ordered the parties to meet and confer, and further instructed that if the parties were unable to reach agreement "on a path forward" that Single Digits was directed to file additional briefing regarding its motion to quash by March 3, 2021 and that Guest Tek's response would be due 7 days thereafter. C.A. No. 20-95, D.I. 13 at 9 (D.N.H.).

Guest Tek and Single Digits met and conferred on February 19, 2021, and exchanged emails on February 21, 2021 and February 24, 2021.

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Safety NetAccess, Inc.

Guest Tek has been in communication with Safety NetAccess since receiving its objections on November 4, 2020, and exchanged multiple emails and phone calls with counsel for Safety NetAccess between November 2020 and January 2021 to discuss the scope and timing of Safety NetAccess' production. *See* D.I. 238 at 1-2. On January 29, 2021, Safety NetAccess abruptly changed course and informed Guest Tek for the first time that it would no longer comply with the subpoenas. *Id.* at 2. On Monday, February 1 (*i.e.*, the next business day), Guest Tek moved to compel Safety NetAccess to comply with the subpoenas in the District of Massachusetts. C.A. No. 21-91047 (D. Mass.).

On February 9, 2021, counsel for Safety NetAccess reached out to Guest Tek regarding a proposal for producing "excerpts" of certain documents and requested an extension of time to respond to Guest Tek's Motion to Compel. On February 10, 2021, counsel for Guest Tek responded to Safety NetAccess, explaining that Guest Tek could not agree to a proposal that only provided "excerpts" of documents, but outlined a narrowed scope of document production for Safety NetAccess to consider. Guest Tek also agreed to extend Safety NetAccess' response date for the Motion to Compel to February 19, 2021. Safety NetAccess responded on February 11, 2021 indicating that it was considering Guest Tek's February 10 proposal and would respond by February 12.

Guest Tek and Safety NetAccess spoke by telephone on February 12, February 16, and February 19, 2021, and also exchanged multiple voicemails and e-mails between February 16 and February 19, 2021 which included discussion of a draft declaration from Safety NetAccess. On February 19, 2021, in view of Safety NetAccess' agreement to produce certain documents, Guest Tek agreed to a second extension of Safety NetAccess' response date for the Motion to Compel to February 26, 2021. The parties further exchanged multiple emails and telephone calls between February 22 and February 25, 2021. On February 25, 2021, Guest Tek agreed to a third extension of Safety NetAccess' response date for the Motion to Compel to March 5, 2021.

Allbridge, LLC

Guest Tek has been in communication with Allbridge since receiving its objections on November 2, 2020. Guest Tek and Allbridge have exchanged multiple emails and phone calls, and most recently participated in a Zoom videoconference on December 18, 2020. On December 30, 2020, Allbridge produced documents to Guest Tek under the Protective Order entered in this Action. On January 7, 2021, Guest Tek sent a follow up email requesting further information from Allbridge, and exchanged further emails on January 13, 2021. Guest Tek spoke with counsel for Allbridge on January 14, 2021, and followed up by email on January 20, 25, and 29, 2021. On Monday, February 1, Allbridge produced a records-custodian declaration to Guest Tek. On February 10, 2021, Guest Tek sent a follow up email to Allbridge requesting further information and documentation, and followed up again with Allbridge on February 16, 2021. The parties exchanged further emails on February 17 and 18, and again on February 23 and 24, 2021.

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Great Lakes Telcom Ltd. d/b/a Broadband Hospitality

Guest Tek has been in communication with Broadband Hospitality since receiving its objections on November 2, 2020. Guest Tek and Broadband Hospitality have exchanged multiple emails and phone calls, including emails on December 2 and 4, 2020 and a phone call on December 9, 2020. Guest Tek most recently spoke with Broadband Hospitality by telephone on December 18, 2020. Guest Tek and Broadband Hospitality exchanged further emails on December 29, 2020. Guest Tek followed up by email on January 6, 2021. Guest Tek exchanged further emails with Broadband Hospitality on January 13, 20, and 29, 2021 and spoke with counsel for Broadband Hospitality on February 1 and the parties reached agreement on the timing and scope of production on February 2, 2021. On February 5 and 8, Broadband Hospitality produced documents and declarations to Guest Tek. On February 10, 2021, Guest Tek sent Broadband Hospitality a follow up email requesting additional information, and Broadband Hospitality responded on February 12, 2021.

Counsel is available should the Court have any questions.

Respectfully,

/s/ Jennifer Ying

Jennifer Ying (#5550)

cc: All Counsel of Record